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October 31, 2021

To: Honorable Magistrate Judge Sanket J. Bulsara
U.S. District Court E.D. New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: South Beach Skin Care, Inc. et. Al. v. Event Fashion Footwear, Inc. et. al.
Case no. 1:21-cv-03135-DG-SJB, EDNY

Dear Magistrate Judge Sanket J. Bulsara:

I am writing to the Honorable Court as counsel for Defendant Event Fashion Footwear, Inc. and in response to the Plaintiff's motion to compel and motion for a protective order.

First, my client objects to the statement that EVENT sold counterfeit goods because the Plaintiff has not yet produced any proof that the goods sold by EVENT were counterfeit. Furthermore, EVENT admits they purchased goods in order to re-sell them and that EVENT cooperated with the Plaintiff prior to this lawsuit and after the suit EVENT provided the Plaintiff invoices proving that the merchandise was purchased in good faith.

In response to the efforts to meet and confer, I was just notified by my client EVENT that they need thirty (30) days to respond to the alleged discovery deficiency's, which is a reasonable period of time taking into consideration that my client needs to retrieve telephone data, text messages, e-mails, and to seek accounting records, among others. This all has to be completed during the course of business, which can be very challenging, especially since my client is short handed now due to the COVID-19 pandemic. Furthermore, the Plaintiff's constant demand's the last two weeks are imposing great and needless pressure, and causing my client a substantial burden in research fees, legal fees, and time that he needs to take away from his own course of business.

Thus, EVENT respectfully requests a time schedule to respond to the alleged deficiencies in Defendant EVENT's discovery responses. It has only been about two and a half weeks, and the

Plaintiff's counsel is bombarding us with threats, e-mails, and now a motion for discovery and baseless sanctions.

In response to the alleged inadequate responses to discovery, though some of the documents are available, EVENT wishes to organize all documents in a proper manner, with a proper report and accounting; rather than provide rushed and improper responses to Plaintiff's counsel. Therefore, EVENT respectfully requests the Honorable Court to order a discovery schedule whereby EVENT has 30 (thirty) days to timely and competently respond to the alleged deficiencies as stated by Plaintiff.

Furthermore, EVENT wishes to emphasize that they are short-handed, and, during the last two weeks, the owners of EVENT were tremendously overwhelmed by a medical emergency of a family member, a grand-daughter, which is very challenging for their business at this time. A Doctor's note and/or hospitalization proof can be provided upon request from the Honorable Court.

In response to the Plaintiff's request/demand that EVENT sign the protective order, my client understands and agrees to most of the document, and he is not seeking Plaintiff's client list, addresses or anything that has to do with the Plaintiff's ordinary course of business. Nevertheless, EVENT does not want to be limited with usage of information for countersuing and/or publishing if the Plaintiff is found to be using predatory tactics to further its agenda in this case.

We request that the Honorable Court to provide dates for both EVENT TO respond to Plaintiff's alleged discovery deficiencies and for Plaintiff to respond to the Defendants' discovery documents.

Please do not hesitate to contact me with any questions or concerns.

By: /S/ Joshua Bronstein
Joshua Bronstein, ESQ.
Counsel for Defendant Event

Certification of Service: I, Joshua Bronstein, certify on October 31, 2021, that the foregoing was filed via the CM/ECF system and copies were served on counsel of record via the CM/ECF system.